

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

MICHAEL STEPHEN WOOLS

Plaintiff,

v.

CLAIVE J. WILLIS,

Defendant.

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Civil Action No. 1:23-cv-863 (RDA/WEF)

ORDER

This matter comes before the Court upon the Report and Recommendation (“Recommendation”) issued by Magistrate Judge William E. Fitzpatrick on September 20, 2023. Dkt. 4. In this case, Magistrate Judge Fitzpatrick recommends that the Court dismiss Plaintiff’s Complaint and Deny Plaintiff’s Motion to Proceed in forma pauperis (“IFP”) as Moot. Dkt. 4. Pursuant to Federal Rule of Civil Procedure 72, the deadline for submitting objections to Judge Anderson’s Recommendation was October 4, 2023.

Plaintiff, proceeding *pro se* did not file an objection to the Recommendation on or before October 4, 2023. Plaintiff did however file a “Letter to the Court” (Dkt. 5) on September 25, 2023, which the Court will consider in deference to Plaintiff’s *pro se* status. Dkt. 4. Plaintiff’s letter does not assert any specific objections to the proposed findings and recommendations, but rather restates the allegations in his August 16, 2023 Letter to the Court along with other undiscernible allegations.

After conducting a *de novo* review of the record in this matter, the applicable law, the Complaint, the Motion for Leave to Proceed In Forma Pauperis, and Plaintiff’s September 2023 Letter to the Court, the Court adopts and incorporates the Magistrate Judge’s findings and agrees

with the Magistrate Judge's conclusion that Plaintiff has failed to state a claim for which relief can be granted, because neither his Complaint nor his September 2023 Letter to the Court contain sufficient factual allegations for the Court to determine that Plaintiff has a colorable claim.

Accordingly, it is hereby ORDERED that the Report and Recommendation (Dkt. 4) is ADOPTED; and it is


FURTHER ORDERED that the Complaint (Dkt. 1) is DISMISSED WITHOUT PREJUDICE; and it is

FURTHER ORDERED that Plaintiff's Motion for Leave to Proceed in Forma Pauperis (Dkt. 2) is DENIED as MOOT.

The Clerk is directed to forward a copy of this Order to Plaintiff, *pro se*, and to close this civil action.

It is SO ORDERED.

Alexandria, Virginia
June 5, 2024

/s/ 

Rossie D. Alston, Jr.
United States District Judge